	DEPARTMENT OF PUBLIC SAFETY CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: JUN - 8 2011	POLICY NO.: COR.14.13
		SUPERSEDES (Policy No. & Date): COR.14.13 & 12/12/2009	
	SUBJECT: INMATE MARRIAGES		Page 1 of 2

1.0 **PURPOSE**

To provide guidelines within the Department of Public Safety (PSD) Corrections Division regarding inmate marriages.

2.0 **REFERENCES**

Hawaii Revised Statutes (HRS), Section 572-1, Requisites of valid marriage contract.

3.0 **POLICY**

- .1 Any person detained in a PSD Correctional facility who desires to be married while incarcerated, must submit a written request to the Warden of the facility where they are detained through their case manager. This request must detail how the marriage ceremony will take place and provide proof that all legal requirements have been completed. All expenses related to the marriage (i.e. blood test, license, etc.), shall be the responsibility of the inmate or their intended spouse prior to the ceremony.
 - a. Any Warden receiving a request to marry should provide their recommendation and confirmation that all requirements have been met, and submit the request and recommendation to the Institutions Division Administrator (IDA) for final approval. Wardens shall consider the following when making their recommendations:
 - 1) Whether or not a legal restriction to marriage exist (i.e. not divorced yet, TRO history that can be verified)
 - 2) Whether or not the proposed marriage presents a threat to the security or the good government of the institution or to the protection of the public.
 - b. In Hawaii, a marriage ceremony must be performed in the state by a person or society with a valid license to solemnize marriages. The man and the woman to be married and the person performing the marriage ceremony must all be physically present at the same place and time for the marriage ceremony. HRS Section 572-1(7).

<p style="text-align: center;">COR</p> <p style="text-align: center;">P & PM</p>	<p>SUBJECT:</p> <p style="text-align: center;">INMATE MARRIAGES</p>	<p>POLICY NO.: COR.14.13</p>
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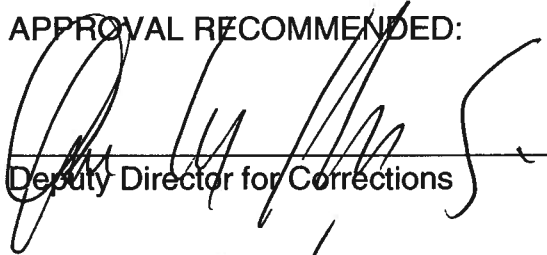
2. Any inmate detained in a contract facility who wishes to be married while in that facility must submit a written request to marry to the Mainland/Contract Branch, who will then forward the request to the IDA. This request must detail that all the legal requirements for marriage in the state in which they are detained have been completed, and all requirements for the PSD contractor's facility have been complied with as well. All expenses related to the marriage (i.e. blood test, license, etc.), shall be paid by the inmate or their intended spouse prior to the ceremony.

3. Branches shall justify the recommendation as stipulated in 3.0 1.a 1&2, and if approved by the IDA, allow the ceremony to take place within the guidelines of the department and institution security and program and requirements.

4.0 **SCOPE**

This policy applies to all correctional facilities.

APPROVAL RECOMMENDED:


Deputy Director for Corrections


Date

APPROVED:


Director


Date